



US Army Corps  
of Engineers  
St Paul District

# Public Notice

ISSUED: 26 June 2012

EXPIRES: 30 November 2012

2012-02674-MVP

SECTION:404 - Clean Water Act  
10 - Rivers and Harbors Act

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## **Information pertaining to clean up and repair of flood damaged infrastructure and/or private and public facilities within the States of Minnesota and Wisconsin related to flood event of June 19-20, 2012 in Northeastern Minnesota and Northwestern Wisconsin.**

The purpose of this notice is to provide the information and guidance to the public in the states of Minnesota and Wisconsin on expedited and emergency permit processing procedures in response to conditions resulting from the flood event of June 19-20 in Northeastern Minnesota and Northwestern Wisconsin. Currently, the U.S. Army Corps of Engineers, St. Paul District is requesting to initiate emergency permitting procedures and coordination on these procedures is ongoing with the Corps Division (Mississippi Valley Division). Upon granting of approval of emergency permit procedures, the District will issue a notice advising the public.

1. In accordance with 33 CFR 325.2(e) (4), an "emergency" is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures.
2. Most permitting can probably be accomplished through the District's Regional General Permits (RGP-003-MN and RGP-002-WI) or the nationwide permit (NWP) program.
3. For those actions which do not qualify for authorization under the terms and conditions of the RGP or NWP program, the Corps will proceed with review of the proposal in accordance with our emergency permitting procedures at 33 CFR 325.2(e)(4).

If additional information is needed, please contact the St. Paul District Corps of Engineers at 1-800-290-5847 extension 5525 or email [floodresponsejune2012@usace.army.mil](mailto:floodresponsejune2012@usace.army.mil)

Tamara E. Cameron  
Chief, Regulatory Branch

Enclosures:

**U.S. Army Corps of Engineers, St. Paul District's Regulatory Branch**  
**Expedited and Emergency Permit Processing Procedures**  
**for the 2012 Flood Event in Northeastern Minnesota and Northwestern Wisconsin**  
**June 26, 2012**

## **BACKGROUND**

In accordance with *33 CFR Part 325.2(e)(4)* and in response to the June 19 and June 20, 2012 flood event, the U.S. Army Corps of Engineers, St. Paul District, Regulatory Branch (Corps) is providing guidance to the public in the states of Minnesota and Wisconsin on expedited and emergency permit processing procedures. This guidance is to be utilized for flood damage emergency repairs requiring Corps authorization under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act. The guidance is applicable to projects such as public and private infrastructure projects; electrical, telephone and pipeline utility projects; debris removal ; road and railroad transportation emergency repairs; and erosion control and stabilization projects.

## **DEFINITION OF EMERGENCY**

By regulation, "an emergency" is defined as a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures. These emergency permit procedures are being put in place to save property and to restore critical infrastructure.

## **COORDINATION PROCESS FOR EMERGENCY WORK**

If the situation is an emergency under the Corps definition and the project requires Corps authorization under Section 404 or Section 10, **immediately contact** the Corps field office and/or district office in which the emergency exists using the contacts listed in the "Corps of Engineers Points of Contact" table provided in this guidance.

A representative from the Corps will initiate an evaluation process to determine if the activity is exempt, is authorized by an existing general permit, or requires authorization under the emergency permit procedures. The following information is required for this determination and should be provided as soon as possible after making the initial contact to the Corps:

- The name, email information, address and telephone number of the responsible party.
- Site location (Township, Range, Section); County; closest road intersection, and name of waterbody.
- Description of circumstances requiring emergency authorization; the cause of emergency (describe when and how the emergency occurred); the urgency of work (describe why the situation is an emergency using the definition above and explain what would happen if expedited or emergency permitting procedures are not used); and, the time to complete emergency work (estimate beginning and end). **Note:** Work that would not be completed for more than six months would not normally be considered an emergency by the Corps. However, we would make every effort to provide an expedited review under our normal permitting process.
- Description and drawings of the proposed actions or work needed to reduce the threat of emergency. The drawings can be sketches, Power Point diagrams, etc.; they do not need to be detailed engineering drawings.
- Photographs of the proposed work area, if available.
- Summary of resource agency coordination completed regarding the proposed work. (Other state and federal agencies such as the MPCA, MnDNR, FWS, and USDA-FS may have information that assists us with our review and reduces the timeframe associated with our review).

A Corps representative will notify you as soon as possible regarding the need for a Corps permit for the proposed work. If the project cannot be authorized under a GP or NWP, and the Corps determines that the project is eligible for emergency permit procedures, the Corps may proceed with review of the proposal in accordance with our emergency permit procedures at 33 CFR 325.2(e)(4). Special processing procedures in emergency situations can only be approved by the Mississippi Valley Division (MVD) office of the U.S. Army Corps of Engineers. The St. Paul District has initiated the coordination process with MVD and is working to establish a streamlined and efficient review process for emergency work in waters of the United States resulting from the June 19 and 20, 2012 flood event.

During a flood emergency and times of imminent danger, we understand that landowners may take immediate actions that are necessary to protect their property. Landowners are responsible for verifying or obtaining authorization for work in waters of the U.S. Corps staff will accept permit applications for work done to address an emergency situation, and will determine the appropriate authorization required. If the work cannot be authorized after the fact, the landowner may be required to remove the material that was placed during the emergency.

### **CORPS OF ENGINEERS POINTS OF CONTACT**

During normal business hours (8 am to 5 pm) please contact the Corps of Engineers employee responsible for the county in which the emergency work will occur. Outside of normal business hours please contact the Corps toll free at 1-800-290-5847 x 5525. If we are unable to take your call, please leave a message indicating your emergency. A Corps representative will return your call as soon as possible.

County	Contact	Role	Phone Number
	Tamara Cameron	St. Paul Branch Chief	1-800-290-5847 x 5197
	Kelly Urbanek	St. Paul NW Section Chief	1-800-290-5847 x 5340
Carlton Co., MN	Josh Fitzpatrick	Project Manager	1-800-290-5847 x 5694
South St. Louis Co., MN	Josh Fitzpatrick	Project Manager	1-800-290-5847 x 5694
North St. Louis Co., MN	Leslie Day	Project Manager	1-800-290-5847 x 5693
Lake Co., MN	Leslie Day	Project Manager	1-800-290-5847 x 5693
Cook Co., MN	Leslie Day	Project Manager	1-800-290-5847 x 5693
Douglas Co., WI	Jason Berkner	Project Manager	(715) 934-2172
Pine Co., MN	Benjamin Orne	Project Manager	1-800-290-5847 x 5280
Aitkin Co., MN	Robert Maroney	Project Manager	1-800-290-5847 x 5766
Bayfield Co., WI	Jason Berkner	Project Manager	(715) 934-2172
Ashland Co., WI	Bill Sande	Project Manager	(715) 934-2172
Two Harbors Field Office			(218) 834-6630 or 1-800-290-5847 x 5692
Brainerd Field Office			(218) 829-2711 or 1-800-290-5847 x 5767
Hayward Field Office			715-934-2171
St Paul District office			651-290-5263 or 1-800-290-5847 x 5525
Outside of normal business hours			1-800-290-5847 x 5525

### **ADDITIONAL INSTRUCTIONS FOR SUBMITTING INFORMATION**

The review process for emergency work can be streamlined through the submission of electronic information via email. The Corps requests that, whenever possible, information (drawings, maps, plans, photographs, etc.) be submitted via email. However, please be aware that email messages larger than 5MB may be blocked and may not be received.

**When submitting information via email please provide the following in the subject line of the email**  
“Emergency Repair June 2012 Flood Event” and identify the project location by nearest city and county. Please send your email to [floodresponsejune2012@usace.army.mil](mailto:floodresponsejune2012@usace.army.mil)